

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF NEW  
YORK

ACACIA COMMUNICATIONS, INC.,

Plaintiff,

v.

THE RESEARCH FOUNDATION FOR  
THE STATE UNIVERSITY OF NEW  
YORK,

SUNY POLYTECHNIC INSTITUTE,

and

COLLEGE OF NANOSCALE SCIENCE  
AND ENGINEERING,

Defendants.

CIVIL ACTION NO. 1:16-CV-1506  
(LEK/CFH)

**NOTICE OF VOLUNTARY DISMISSAL OF SUNY POLYTECHNIC INSTITUTE AND  
COLLEGE OF NANOSCALE SCIENCE AND ENGINEERING PURSUANT TO  
F.R.C.P. 41(a)(1)(A)(i)**

Pursuant to F.R.C.P. 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, the plaintiff Acacia Communications, Inc. and their counsel, hereby give notice that the above-captioned action is voluntarily dismissed only as against defendants SUNY Polytechnic Institute and College of Nanoscale Science and Engineering, without prejudice.

ACACIA COMMUNICATIONS, INC.

Date: January 23, 2017

/s/ Michael Albert

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**CERTIFICATE OF SERVICE**

I certify that this document is being filed through the Court's electronic filing system, which serves counsel for other parties who are registered participants as identified on the Notice of Electronic Filing (NEF), including:

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*Attorney for Defendants*

And, I hereby certify that I have mailed by the United States Postal Service the document to the following non-CM/ECF Participants:

Attorney General of the State of New York  
On behalf of College of Nanoscale Science and Engineering and SUNY Polytechnic  
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Mark Lemire  
On behalf of CNSE and SUNY Polytechnic Institute  
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Dated: January 23, 2017

/s/Michael A. Albert  
Michael A. Albert